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Discovery follow-up in re Grano v. State of New Mexico, et al, Cause No. 1:20-cv-00147-PJK-KK

1 message

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Wed, Aug 18, 2021 at 7:57 PM

To: Eric Rodriguez <erodriguez@wabsa.com>, Rodney Gabaldon <rgabaldon@wabsa.com>, Craig Wood <cwood@wabsa.com>, Kandice Garcia <kgarcia@wabsa.com>, Meg Pettingill <mpettingill@wabsa.com>

Cc: Joe Romero <joe@romerolawnm.com>

Bcc: Brandon Christian Cummings <brandon.c.cummings@outlook.com>

Good afternoon Counsel,

I hope that this email finds you well. I have a couple of requests and some information in response to your requests.

First of all, I wanted to respond to the letter in this email by saying that we are finalizing the formatting on the requested discovery, and I should have that to you within the next couple of days.

Secondly, I need to let you know I may have to file a Motion to Compel the requested medical records, as Christus St. Vincent is having issue with Marc Grano's medical release. The hospital has been singularly unhelpful in this process.

Third, pursuant to Defendants' Initial R. 26 disclosures provided on 11/19/20, Defendants were to provide the following relevant documents subject to protective order:

- relevant documents;
- communication records;
- notice of claim;
- copies of policies and procedures;
- relevant employment records;
- medical records;
- law enforcement records;
- corrections department records; and
- investigative documents.

Defendants' disclosures indicate that the documents would be provided electronically to Plaintiff via a secure cloud-based file sharing system once a protective order was issued. The protective order proposed by Defendants was entered on 2/24/21. On 2/19/21, my co-counsel sent the attached email to defense counsel requesting that the documents listed above and in Defendants' initial disclosures be forwarded to Plaintiff upon entry of the protective order. Plaintiff has not yet received the documents. Will you please send them to me and my co-counsel at your earliest convenience. Specifically, the medical records are necessary for my expert's review.

Fourth, I am requesting your concurrence on a Motion to Extend Expert Witness Disclosure Deadlines by 45 days. Would you please let me know your position on this Motion?

Finally, I will provide you with my client's position on settlement as soon I have finished organizing and sending the discovery responses.

Thank you for your time.

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